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In re Application of	:	
HUESCA, Mario et al.	:	
Application No.: 10/525,690	:	DECISION ON
PCT No.: PCT/CA03/01229	:	
Int. Filing Date: 19 August 2003	:	PETITION
Priority Date: 19 August 2002	:	
Attorney Docket No.: 16526US01	:	UNDER 37 CFR 1.47(a)
For: 2, 4, 5 – TRISUBSTITUTED ... ANTI-	:	
MICROBIAL AGENTS	:	

This is a decision on applicants' "Renewed Petition Under 37 C.F.R. §1.47(a)," filed in the United States Patent and Trademark Office (USPTO) on 24 October 2006.

BACKGROUND

On 19 August 2003, applicants filed international application PCT/CA03/01229, claiming a priority date of 19 August 2002. A copy of the international application was transmitted to the Office on 26 February 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 22 February 2005 (19 February 2005 was a Saturday and 21 February 2005 was a holiday).

On 22 February 2005, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee.

On 07 July 2005, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration and the surcharge for late filing of the oath or declaration were required.

On 07 February 2006, applicants submitted a petition under 37 CFR 1.47(a), which was accompanied by, *inter alia*, a declaration of inventorship and a supporting declaration. The petition included the fee for a five month extension of time.

On 24 August 2006, the Office mailed Decision On Petition Under 37 CFR 1.47(a), dismissing applicants' petition without prejudice and setting a two month period for reply.

On 24 October 2006, applicants filed this renewed petition under 37 CFR 1.47(a), accompanied by a declaration of the inventors.

DISCUSSION

The declaration submitted on 24 October 2006 complies with 37 CFR 1.497(a)-(b).

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.47(a) is **DISMISSED AS MOOT**.

This application is being forwarded to the National Phase Processing Branch of the Division of PCT Operations for further action consistent with this decision. The application has a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 24 October 2006.

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